

L. A. BILL No. LXII OF 2023.

A BILL

further to amend the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.

(As Passed by the Legislative Assembly on the 20th December, 2023.)

5 WHEREAS it is expedient further to amend the Maharashtra Slum Areas
Mah. (Improvement, Clearance and Redevelopment) Act, 1971, for the purposes
XXVIII hereinafter appearing; it is hereby enacted in the Seventy-fourth Year of the
of 1971. Republic of India, as follows :—

10 **1.** This Act may be called the Maharashtra Slum Areas (Improvement, Short title.
Clearance and Redevelopment) (Second Amendment) Act, 2023.

Amendment of section 3E of Mah. XXVIII of 1971. **2.** In section 3E of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971, in sub-section (1), for the words “ten years”, at both the places where they occur, the words “five years” shall be substituted. Mah. XXVIII of 1971.

STATEMENT OF OBJECTS AND REASONS.

Section 3E of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (Mah. XXVIII of 1971) provides that the tenements allotted to the persons under the Slum Rehabilitation Scheme shall not be transferred by the allottee thereof for a period of first ten years commencing from the date of allotment of the tenement and after the expiry of the said period of ten years, the allottee may, with the permission of the Slum Rehabilitation Authority, transfer such tenement in accordance with the prescribed procedure.

2. The Government has received many representations that the said period of restriction on transfer of such tenements by allottees is too long. Also the problem of illegal transfer of such tenement has also increased. Therefore, the Government considers it expedient to reduce the said period of ten years to five years. For that purpose, section 3E of the said Act is proposed to be amended, suitably.

3. The Bill is intended to achieve the above objectives.

Nagpur,
Dated the 19th December, 2023.

ATUL SAVE,
Minister for Housing.

*ANNEXURE TO THE L. A. BILL NO. LXII OF 2023–
THE MAHARASHTRA SLUM AREAS (IMPROVEMENT,
CLEARANCE AND REDEVELOPMENT) (SECOND AMENDMENT)*

BILL, 2023.

**[Extracts from the Maharashtra Slum Areas (Improvement,
Clearance and Redevelopment) Act, 1971]**

(Mah. XXVIII of 1971)

1. to 3.	*	*	*	*
3 A. to 3D.	*	*	*	*

3E. (1) The tenements allotted to the persons under the Slum Rehabilitation Scheme shall not be transferred by the allottee thereof by way of sale, gift, exchange, lease or otherwise for a period of first ten years commencing from the date of allotment of the tenement. After the expiry of the said period of ten years, the allottee may, with the permission of the Slum Rehabilitation Authority, transfer such tenement in accordance with the prescribed procedure. Restrictions on transfer of tenements.

(2) If the tenement is transferred by the allottee in contravention of the provisions of sub-section (1), the Competent Authority shall, by order, direct the eviction of the person in possession of such tenement in such manner and within such time as may be specified in the order, and for the purpose of eviction, the Competent Authority may use or cause to be used such force as may be necessary:

Provided that, before issuing any order under this sub-section, the Competent Authority shall give a reasonable opportunity to such person to show cause why he should not be evicted therefrom.

3F. to 3Z-7.	*	*	*	*
4. to 48.	*	*	*	*
SCHEDULES	*	*	*	*

**MAHARASHTRA LEGISLATURE
SECRETARIAT**

[L. A. BILL No. LXII OF 2023.]

**[A Bill further to amend the Maharashtra
Slum Areas (Improvement, Clearance and
Redevelopment) Act, 1971.]**

**[SHRI ATUL SAVE,
Minister for Housing.]**

**[As Passed by the Legislative Assembly
on the 20th December, 2023.]**

**JITENDRA BHOLE,
Secretary (1) (I/C),
Maharashtra Legislative Assembly.**